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IT IS SO ORDERED.

Dated: July 04, 2011




Jeffery P. Hopkins
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

In Re

JAMES MATTHEW SPARKS

Debtor

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Case No. 10-17737
Chapter 7
Judge Hopkins

ORDER [Re: Docs. 34, 37 & 38]

The Court set a June 7, 2011 hearing on: (1) the Trustee's Motion To Vacate Order Granting Application To Proceed In Forma Pauperis (Doc. 18) ("Trustee's Motion To Vacate"); and (2) an Order To Appear And Show Cause (Doc. 34).

The Debtor paid the filing fee on April 11, 2011. Therefore, the Trustee's Motion To Vacate is now **MOOT**.

The show cause order directs Debtor's counsel, Ms. Diana Kouhri, to show cause "why sanctions should not be imposed under LBR 9011-3 for her failure to appear or to prosecute the Debtor's objection to the [Trustee's Motion To Vacate] at the March 24, 2011

hearing." After payment of the filing fee, Ms. Kouhri filed a motion to vacate the show cause hearing. See Doc. 37. The Trustee has filed a motion to continue the June 7, 2011 hearing. See Doc. 38.

On the record before it, the Court is reluctant to require Ms. Kouhri to travel from Cleveland to Cincinnati for a show cause hearing alone, now that the Trustee's Motion To Vacate has been mooted. Therefore, the June 7, 2011 hearing is **VACATED**. However, the show cause issue will be heard by pleading. **Ms. Kouhri shall file, within fourteen days from the entry of this order, a pleading that responds to the Court's show cause order.** Specifically, Ms. Kouhri shall set forth the reasons why the pauperis application was filed when the filing fee was later paid. Thereafter, the Trustee shall have fourteen days to file a reply, if he chooses to do so.

Once the matter has been briefed, the Court will determine whether further hearing is necessary.

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